

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

2024-cv-09743

Lucio Celli,

Plaintiff,

v.

New York City et al,

Defendants.

FILED
U.S. DISTRICT COURT
2025 MAY 28 PM 4:58
S.D. OF N.Y.W.P.

PLAINTIFF'S MOTION FOR JUDICIAL NOTICE—Judge Lehrburger committed the same crime Judge Cogan committed for the UFT and Randi, as ingoing UFT's lies about not negotiating the 3020a process with the fact that Lehrburger and everyone has the audio—this is a crime under 18 USC § 371 because this is wage theft in NYS and retaliation for telling on Schumer—which is obstruction of justice, I was told

Both could not read—just place the sentence for him to read out loud and into a camera—then Lehrburger's crime under 18 USC § 371 will be witnessed by millions and his how you catch a piece of shit doing what he was ordered to do by Livingston and Engelmayer

TO THE HONORABLE Cronan and Hon. McMahon:

Pursuant to Federal Rule of Evidence 201, Plaintiff Lucio Celli respectfully moves this Court to take judicial notice of the following indisputable facts:

1. **UFT Misrepresentation:** That the United Federation of Teachers knowingly lied about having “negotiated” critical provisions of the Collective Bargaining Agreement, as evidenced by the unedited audio recording appended as Exhibit A to Plaintiff's Complaint.
2. **Judge Cogan's Identical Fraud:** That Judge Cogan committed the identical misrepresentation—falsely representing in his written decision that the CBA was properly negotiated—thereby perpetuating the same fraud.
3. **AUSA Karamigios's Facilitator Role:** That AUSA Karamigios materially aided and abetted this fraud by suppressing motions and evidence, effectively “stealing” Plaintiff's rights under the CBA.

A proposed form of order is submitted herewith.

MEMORANDUM OF LAW

I. Rule 201 Standard

Under Fed. R. Evid. 201, a court may judicially notice “a fact that is not subject to reasonable dispute because it: (1) is generally known within the territorial jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.”

II. Undisputed, Accurate Sources

- **Audio Exhibit A:** The unedited audio recording of UFT officials is an indisputable contemporaneous source.
- **Judicial Record:** Judge Cogan’s published order is part of the official docket and can be readily reviewed.
- **Government Filings:** AUSA Karamigios’s filings and correspondence appear on the publicly available EDNY docket.

Each of these is “capable of accurate and ready determination” and is “not subject to reasonable dispute.”

III. Argument

1. **Necessity of Judicial Notice.** Plaintiff’s Complaint hinges on the UFT’s documented fraud and the court’s failure to address it. Judge Lehrburger’s R&R ignored Exhibit A entirely, despite its decisive proof. Judicial notice will cure this oversight without the need for further discovery.
2. **Scope of Notice.** Judicial notice extends to the recordings themselves and to the fact that they show misrepresentation. It also extends to the existence of Judge Cogan’s order and the AUSA’s filings.
3. **No Prejudice.** Taking notice of these undisputed facts raises no fairness concerns—Plaintiff attached Exhibit A to the Complaint and cited the Cogan order and Karamigios filings throughout.

CONCLUSION

For these reasons, Plaintiff respectfully requests that the Court grant this motion, take judicial notice of the facts set forth above, and direct the parties to address them in any further briefing or hearing.

Dated: May 28, 2025
New York, New York

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Heur', is written over a horizontal line.